

1  
2  
3  
4

5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA

7  
8 UNITED STATES OF AMERICA No. CR 06-0692 PJH (EMC)  
9 Plaintiff,

10 v. **ORDER AMENDING BOND**  
11 IL UNG KIM, YOUNG BAE RHA, and  
12 GARY SWANSON,  
13 Defendants.

14  
15 The bond issued on November 17, 2006 is hereby amended to permit Defendant IL UNG  
16 KIM to communicate with current subordinate employees about this case via writing or email (but  
17 not orally or by direct voice communications) with the following words:

18  
19 “As you may know, I am defending myself in a U.S. court case. My  
20 lawyers may be contacting you asking for information. I just wanted  
21 to alert you to this. You may speak to my lawyers if you choose, but  
have no obligation to do so.”

22 No such restriction shall apply to Defendant’s communications with other current or former  
23 employees since there is no likelihood of implied intimidation flowing from Defendant KIM’s  
24 position of authority in those relationships.

25 The Court will not, as a condition of the bond, address the issue whether counsel’s contact  
26 with Samsung employees violates applicable rules of professional conduct (see *Snider v. Superior*  
27 *Court*, 113 Cal.App.4th 1187 (2003)) or whether the government is engaged in intimidation of  
28 witnesses who have been interviewed by defense counsel. These matters are not relevant to release

1 bond conditions. They are more appropriately raised as discovery matters or as claims of  
2 prosecutorial or counsel misconduct before Judge Hamilton, the presiding trial judge in this matter.

3 Defense counsel is directed forthwith to review this amendment to the bond conditions with  
4 Defendant Kim and the surety.

5

6 IT IS SO ORDERED.

7

8 Dated: November 20, 2006

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



EDWARD M. CHEN  
United States Magistrate Judge